

Rule 5005-2 [Amended]

FILING OF PETITION AND OTHER PAPERS

(a) ***Attorneys Required to File via CM/ECF.*** Attorneys shall file petitions commencing cases under the Code, and the statement of financial affairs, schedules, statement of intentions, and list of equity security holders electronically via CM/ECF. The attorney shall maintain a copy of those papers, bearing the debtor's original signature, for four years after the closing of the case.

(b) ***Pro Se Debtors Shall File in Paper Form.*** Debtors who are not represented by attorneys shall file petitions commencing cases under the Code, and the statement of financial affairs, schedules, and statement of intentions in paper form containing the debtor's original signature.

(c) ***Petitions Received by Mail.*** Petitions received by the Clerk's Office via the United States Mail shall be stamped "Filed via Mail" and shall be deemed filed as of 10:00 a.m. Eastern Standard or Eastern Daylight Savings Time on the day received.

Notes of Advisory Committee

2013 Amendment

This amendment recognizes that the Clerk's Office no longer requires debtors filing in paper format to include a diskette or CD with copies of the petition and schedules.

2004 Amendment

This amendment recognizes that additional paper copies will become unnecessary since petitions are accessible by electronic means. This rule also obviates the need for the U.S. Trustee, Chapter 13 Trustee, Chapter 7 Trustees to receive paper copies of petitions from Electronic Filing Users because each of these entities will have access to examine petitions via PACER under the CM/ECF system. Further, this amendment requires petitions, statement of financial affairs, schedules, statement of intentions and list of equity security holders filed by attorneys to be submitted in an electronic format.

2000 Amendment

This amendment deletes the requirement, contained in paragraph (c), that debtors provide to the Clerk service copies for all creditors of their Chapter 13 plans. Under practices that have developed in the Court, either the debtors or the Chapter 13 trustee serves the plans on creditors. The Clerk does not. The Clerk, therefore, has no need for service copies. This amendment simply harmonizes the rule with the practice.

This amendment was effective on December 1, 2000.

1997 Amendment

This amendment conforms the existing Local Rules to the uniform numbering system prescribed by the Judicial Conference of the United States and to the model system suggested and approved by the Advisory Committee on Bankruptcy Rules of the Judicial Conference's Committee on Rules of Practice and Procedure. In renumbering the Local Rules to conform to the uniform numbering system, no change in substance is intended. This amendment was effective on April 15, 1997.

Paragraphs (a), (b), and (c) of this rule were formerly paragraphs (a), (b), and (d) of Local Rule 2.04. The Advisory Committee Notes to the superseded rules may be helpful in interpreting and applying the current rules.

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